

RÉSUMÉ DIGEST

ACT 200 (HB 492)

2025 Regular Session

Ventrella

Existing law (R.S. 14:102.1) provides for the crimes of simple cruelty to animals and aggravated cruelty to animals.

New law retains existing law generally.

Existing law (R.S. 14:102.1(A)) provides that any person who intentionally or with criminal negligence commits any of the following shall be guilty of simple cruelty to animals:

- (1) Overdrives, overloads, drives when overloaded, or overworks a living animal.
- (2) Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.
- (3) Having charge, custody, or possession of any animal, either as owner or otherwise, unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care.
- (4) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers to an animal control center an animal which he found running at large.
- (5) Impounds or confines or causes to be impounded or confined in a pound or other place, a living animal and fails to supply it during such confinement with proper food, proper drink, and proper shelter.
- (6) Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner.
- (7) Unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes any such drug or substance, with intent that the same shall be taken or swallowed by any domestic animal.
- (8) Injures any animal belonging to another person.
- (9) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering or death is caused to or permitted upon the animal.
- (10) Causes or procures to be done by any person any act enumerated in existing law.

New law amends these elements of existing law as follows:

- (1) Relative to the tormenting, cruelly beating, or unjustifiably injuring of any living animal, removes the condition that the animal belong to the offender.
- (2) Relative to abandonment of an animal, provide that a person shall not be considered to have abandoned an animal if he delivers an animal which he found running at large in the care of an animal control center, shelter, or rescue location.
- (3) Changes the word "drink" to "water".
- (4) Removes as elements from existing law the injuring of any animal belonging to another person and the mistreatment of any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering, or death is caused to or permitted upon the animal.

New law amends existing law to change the term "defendant" to "offender" throughout existing law.

Existing law (R.S. 14:102.1(B)) provides that any person who intentionally or with criminal negligence commits any of the following shall be guilty of aggravated cruelty to animals:

- (1) Tortures, maims, or mutilates any living animal, whether belonging to himself or another.
- (2) Tamperers with livestock at a public livestock exhibition or at a private sale.
- (3) Causes or procures to be done by any person any act designated in existing law.
- (4) Mistreats any living animal whether belonging to himself or another by any act or omission which causes or permits unnecessary or unjustifiable physical pain, suffering, or death to the animal.

New law retains existing law generally, but removes the condition that the animal belong to the offender within elements of existing law pertaining to torture, maiming, mutilation, and mistreatment.

New law adds that aggravated cruelty to animals is when a person has charge, custody, or possession of any animal as either an owner or otherwise and unjustifiably fails to provide it with proper food, proper water, proper shelter, or proper veterinary care, which results in the animal's death.

Existing law (R.S. 14:102.1(C)(6)) provides that nothing in existing law shall prohibit the standard transportation and agricultural processing of agriculture products as defined in existing law (R.S. 3:3602(5) and (6)).

New law removes an incorrect cross-reference to the term "agricultural products" with the correct cross-reference as defined in existing law (R.S. 3:3602).

Effective August 1, 2025.

(Amends R.S. 14:102.1(A)(1)(intro. para.), (b), (d), (e), and (h) and (2), (B), and (C)(6); Repeals R.S. 14:102.1(A)(1)(i) and (j))